

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James A. STOB

Application. No.: 09/585,812

Examiner: George C. NEURAUTER, Jr.

Filed: May 19, 2000

Group Art Unit: 2143

Title (as amended): METHOD FOR PROVIDING INFORMATION ABOUT A SITE TO A NETWORK CATALOGER

[Title was previously changed from WEBSITE MANAGEMENT]

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. §§ 1.131 AND 1.68

I, James A. Stob, hereby declare and say:

1. I am the sole and first inventor of the subject matter of United States patent application 09/585,812 (the "Application"), which claims the benefit of United States provisional application 60/135,370, filed on May 21, 1999 (the "Provisional Application").

2. I conceived of the subject matter of the Application prior to May 11, 1999, ("Conception") and reduced the subject matter of the Application to practice prior to May 11, 1999 ("Reduction").

3. Conception and Reduction prior to May 11, 1999, included Conception and Reduction of at least the following patentable features ("Patentable Features"):

- a. A website management method for managing a website's visibility on the Internet, comprising the steps of: retrieving at least one file name; determining if the file name is to be submitted to at least one Internet cataloging engine, and submitting an acceptable uniform resource locator containing the file name to each of the at least one Internet cataloging engines, each submission being made in accordance with a set of rules associated with the corresponding Internet cataloging engine.¹
- b. A website management method for managing a website's visibility on the Internet, comprising the steps of: retrieving at least one file name; creating an acceptable uniform resource locator by combining the file name with a protocol and a domain name; and submitting the acceptable uniform resource locator containing the file name to each of at least one Internet cataloging engines, each submission being made in accordance with a set of rules associated with the corresponding Internet cataloging engine.²
- c. Computer executable software code stored on a computer readable medium, the code for managing a website's files for submission to at least one Internet cataloging engine, comprising: code for retrieving at least one file name; code for determining if the file name is to be submitted to the at least one Internet cataloging engine; and code for submitting an acceptable uniform resource locator containing the file name to each of the at least one Internet cataloging engines,

¹ See claim 1 of the Application.

² See claim 25 of the Application.

each submission being made in accordance with a set of rules associated with the corresponding Internet cataloging engine.³

- d. Computer executable software code stored on a computer readable medium, the code for managing a website's files for submission to at least one Internet cataloging engine, comprising: code for retrieving at least one file name; code for creating an acceptable uniform resource locator by combining the file name with a protocol and a domain name; and code for submitting the acceptable uniform resource locator to each of the at least one Internet cataloging engines, each submission being made in accordance with a set of rules associated with the corresponding Internet cataloging engine.⁴
- e. A method for providing information about a site to a network cataloger, comprising: retrieving at least one file name; determining if the at least one file name is to be submitted to the network cataloger; identifying a set of submission rules associated with the network cataloger; creating a uniform resource locator from the at least one file name; and submitting the uniform resource locator to the network cataloger in accordance with the set of submission rules.⁵

4. I am the Chief Executive Officer of Position Technologies, Inc. ("Position Tech"), which is the exclusive owner and the registrant of the domain name POSITIONPRO.COM, registered on December 21, 1998. See the domain name registration information, attached as Exhibit "A".

³ See claim 26 of the Application.

⁴ See claim 27 of the Application.

⁵ See claim 28 of the Application.

5. Position Technologies, Inc. began hosting operable embodiment(s) of the Patentable Features, as described above, on the website POSITIONPRO.COM by no later than December 28, 1998. On December 28, 1998, I sent an email message to Brian Longest, Esq. (who is the patent attorney who filed my provisional application) containing a link to my website at POSITIONPRO.COM on which resided operating software performing the method that is the embodiment of the Patentable Features. Without waiving my rights to the protections of the attorney client privilege, I submit a redacted version of the email communication evidencing the date of the communication, to whom it was addressed and the links. See Exhibit B.

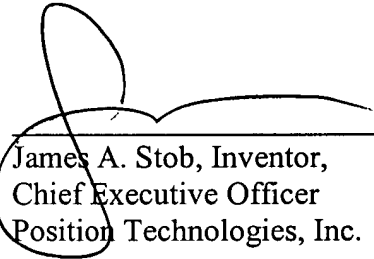
6. The screenshot drawings of the Application as filed further demonstrate that Conception and Reduction of the subject matter of the Application occurred prior to May 11, 1999:

- a. Figure 10 demonstrates Conception and Reduction by April 24, 1999. See Exhibit "C".
- b. Figure 16 demonstrates Conception and Reduction by May 9, 1999. See Exhibit "D".
- c. Figure 17 demonstrates Conception and Reduction by May 6, 1999. See Exhibit "E".
- d. Figure 18 demonstrates Conception and Reduction by April 7, 1999. See Exhibit "F".
- e. Figure 26 demonstrates Conception and Reduction by March 24, 1999. See Exhibit "G".
- f. Figure 27 demonstrates Conception and Reduction by March 24, 1999. See Exhibit "H".

g. Figure 28 demonstrates Conception and Reduction by March 24, 1999. See Exhibit "I".

h. Figure 29 demonstrates Conception and Reduction by March 24, 1999. See Exhibit "J".

7. I acknowledge that willfully false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. § 1001) and may jeopardize the validity of the Application or any patent issuing thereon. All statements made herein of my own knowledge are true and any statements made upon information and belief are believed to be true.



James A. Stob, Inventor,
Chief Executive Officer
Position Technologies, Inc.

10/19/04
Date



RECEIVED
OCT 28 2004
Technology Center 2100

EXHIBIT A



FREE OFFERS

WHOIS

VIEW ORDER

CUSTOMER SERVICE

ACCOUNT MANAGE

HOME

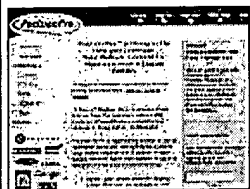
REGISTER
A DOMAINCREATE A
WEB SITEBUY
E-MAILPURCHASE
HOSTINGPROMOTE
YOUR SITEGROW YOUR
BUSINESSTRANSFER
YOUR DOMAIN

Get a 5-page Web site

WHOIS SEARCH RESULTS

WHOIS RECORD FOR

positionpro.com



[Certified Offer Service - Make an offer on this domain](#)
[Backorder - Try to get this name when it becomes available](#)

[Private Registration - Make personal information for this domain private](#)

[Similar Names - See suggested alternatives for this domain](#)

Registrant:

Position Technologies, Inc. (201351280)
10 W. State St
Suite 201
Geneva, IL 60134
US
Phone: 630-232-0446
Fax: 999-999-9999

[Make this info private](#)**Domain Name:** POSITIONPRO.COM**Administrative Contact , Technical Contact :**

Stob, James
(JSH944)
jim@NETABOUT.COM
Suite 300
St Charles, IL 60174
US
Phone: 630-587-8219

Record expires on 21-Dec-2005**Record created on** 21-Dec-1998**Database last updated on** 01-Jul-2004**Domain servers in listed order:**[Manage DNS](#)[NS1.NETABOUT.COM](#)[169.207.238.114](#)[NS2.NETABOUT.COM](#)[169.207.238.115](#)[Show underlying registry data for this record](#)BUY THE AVAILABLE EXT
FOR THIS DOMAIN NAME

positionpro

positionpro

positionpro

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positionpro

SEARCH AGAIN

Enter a search term:

e.g. networksolutions.c

Search by:

☒ Domain Name☐ NIC Handle☐ IP Address

SEARCH

Current Registrar:

NETWORK SOLUTIONS, LLC.

IP Address:

169.207.238.190 (ARIN & RIPE IP search)

IP Location:

US(UNITED STATES)-MAINE-OCEAN PARK

Record Type:

Domain Name

Server Type:

IIS 5

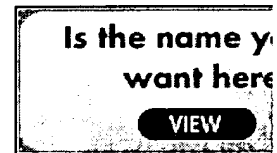
Lock Status:

ACTIVE

Web Site Status:

Active

DMOZ	1 listings
Y! Directory:	see listings
Secure:	No
E-commerce:	No
Traffic Ranking:	3
Data as of:	26-May-2004



When you register a domain name, current policies require that the contact information for your domain name registration be included in a public database known as WHOIS. To learn about actions you can take to protect your WHOIS information, visit www.internetprivacyadvocate.org.

NOTICE AND TERMS OF USE: You are not authorized to access or query our WHOIS database through the use of high-volume automated, electronic processes or for the purpose or purposes of using the data in any manner that violates these terms. The Data in Network Solutions' WHOIS database is provided by Network Solutions for information purposes only, and to persons in obtaining information about or related to a domain name registration record. Network Solutions does not guarantee accuracy. By submitting a WHOIS query, you agree to abide by the following terms of use: You agree that you may use the Data only for lawful purposes and that under no circumstances will you use this Data to: (1) allow, enable, or otherwise support the transmission of mass unsolicited, commercial advertising or solicitations via direct mail, e-mail, telephone, or facsimile; (2) enable high volume, automated, electronic processes that apply to Network Solutions (or its computer systems). The commercial repackaging, dissemination or other use of this Data is expressly prohibited without the prior written consent of Network Solutions. You agree not to use high-volume, automated, electronic processes to access or query the WHOIS database. Network Solutions reserves all rights and remedies it now has or may have in the future, including, but not limited to, the right to terminate access to the WHOIS database in its sole discretion, for any violations by you of these terms of use, including without limitation excessive querying of the WHOIS database or for failure to otherwise abide by these terms of use. Network Solutions reserves the right to modify these terms at any time.



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Home	Register a Domain	Create a Web Site	Buy E-mail	Purchase Hosting	Promote Your Site	Grow Your Business	Transfer Your Domains	Renew Services	Account Manage
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[Review our Privacy Policy, Service Agreement, and Legal Notice](#)
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EXHIBIT B

At 04:22 PM 12/28/98 -0600, you wrote:

>Hi Brian,

>

>[REDACTED]

>

>[REDACTED]

>

>[REDACTED]

><<http://www.positionpro.com/>>www.positionpro.com

>[REDACTED]

>

><<http://www.positionpro.com/>><http://www.positionpro.com>

>[REDACTED]

>

>[REDACTED]

>

>[REDACTED]

>

>[REDACTED]

>

>[REDACTED]

>

>[REDACTED]

>

>[REDACTED]

>

>Jim Stob

>

>

EXHIBIT C

PRO

[illegible]

1 thru 5 of 5 URLs

Framed URLs

Framed URLs	Last crawled	Frameset I
http://www.tahoevacationguide.com/Groups/photogallery.html	24-Apr-99	Yes I
http://www.tahoevacationguide.com/Activities/transroadconditions.html	24-Apr-99	Yes I
http://www.tahoevacationguide.com/roadconditions.html	24-Apr-99	Yes I
http://www.tahoevacationguide.com/weather.html	24-Apr-99	Yes I
http://www.tahoevacationguide.com/slideshow.html	24-Apr-99	Yes I

EXHIBIT D

POSITION

PRO

Search Engine and Site Management

Tahoe's site report as of 12-May-99

Our spidering shows <http://www.tahoevacationguide.com> contains 403 links/URLs

Of the search engines queried, <http://www.tahoevacationguide.com> has 1 listing(s) in the engines top 10 and 13 listing(s) in the 11-20 category as of 09-May-99

Engines searched and number of rankings (Click column to sort by)

Engine	First 10	11 - 20
<u>AltaVista</u>	0	1
<u>AOL Netfind</u>	0	2
<u>Excite</u>	0	2
<u>Hotbot</u>	0	0
<u>Infoseek</u>	0	0
<u>Lycos</u>	0	0
<u>MSN Search</u>	0	4
<u>Webcrawler</u>	1	4

Ranking for Keywords and Phrases

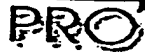
Keyword/Phrase	Total Listings
lake tahoe	4 listing(s)
lake tahoe accommodations	1 listing(s)
lake tahoe lodging	2 listing(s)
lake tahoe vacation	3 listing(s)
lake tahoe vacation rentals	0 listing(s)
tahoe	4 listing(s)

Rankings by Keywords as of 09-May-99

Keyword/Phrase	Engine	URL
lake tahoe	AOL	http://www.tahoevacationguide.com/
lake tahoe	Excite	http://www.tahoevacationguide.com/
lake tahoe	MSN	http://www.tahoevacationguide.com/sitemap.html
lake tahoe	Webcrawler	http://www.tahoevacationguide.com/
lake tahoe accommodations	Webcrawler	http://www.tahoevacationguide.com/
lake tahoe lodging	MSN	http://www.tahoevacationguide.com/
lake tahoe lodging	Webcrawler	http://www.tahoevacationguide.com/
lake tahoe vacation	Altavista	http://www.tahoevacationguide.com/LTRB/Homes/3689S
lake tahoe vacation	MSN	http://www.tahoevacationguide.com/contactus.html
lake tahoe vacation	Webcrawler	http://www.tahoevacationguide.com/

EXHIBIT E

POSITION



Search Engine and Site Management

- Home
- Sign
- Reports
 - Website Status
 - Website History
 - Website Errors
 - Website Links
 - Website Indexing
 - Website Ranking
 - Website Traffic
 - Website Analytics
- Engines
 - Google
 - MSN
- Tools
 - Website Audit
 - Website Backup
 - Website Security
 - Website Optimization
- Support
 - Help Center
 - FAQ
 - Contact Us

Webcrawler ranking History

lake tahoe

Date	Page	URL	Info
05/06/1999	1	http://www.tahoevacationguide.com/	Info
05/09/1999	1	http://www.tahoevacationguide.com/	Info

lake tahoe accommodations

Date	Page	URL	Info
05/06/1999	2	http://www.tahoevacationguide.com/	Info
05/09/1999	2	http://www.tahoevacationguide.com/	Info

lake tahoe lodging

Date	Page	URL	Info
05/06/1999	2	http://www.tahoevacationguide.com/	Info
05/09/1999	2	http://www.tahoevacationguide.com/	Info

lake tahoe vacation

Date	Page	URL	Info
05/06/1999	2	http://www.tahoevacationguide.com/	Info
05/09/1999	2	http://www.tahoevacationguide.com/	Info

tahoe

Date	Page	URL	Info
05/06/1999	2	http://www.tahoevacationguide.com/	Info
05/09/1999	2	http://www.tahoevacationguide.com/	Info

EXHIBIT F

POSITION

PRO

Search Engine and Site Management

- Home
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- Rankings
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- Other

Search Engine Ranking History

Combined listing (for all keywords/phrases) within the first two pages of the engine

Run Date	AltaVista	AOL	Excite	HotBot	InfoSeek	Lycos	MSN	NorthernLight
Apr/07/99	1	0	0	0	0	0	1	0
Apr/09/99	2	0	0	0	0	0	1	0
Apr/10/99	2	0	0	0	0	0	1	0
Apr/11/99	2	0	0	0	0	0	1	0
Apr/13/99	2	0	0	0	0	0	1	0
Apr/15/99	2	0	0	0	0	0	1	0
Apr/18/99	2	0	0	0	0	0	1	0
Apr/20/99	1	2	0	0	0	0	3	0
Apr/23/99	1	2	1	0	0	0	3	0
Apr/26/99	1	2	0	0	0	0	4	0
Apr/30/99	1	2	0	0	0	0	3	0
May/03/99	1	2	1	0	0	0	0	0
May/06/99	1	2	1	0	0	0	4	5
May/09/99	1	2	2	0	0	0	4	5

EXHIBIT G

POSITION



Search Engine and Site Management

Home
Help
Reports
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About
Contact
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Feedback
Advertise
Partners
Affiliates
Wholesale
Retail
Franchise
Investment
Licensing
Distribution
Manufacturing
Retailing
Wholesaling
Importing
Exporting
Marketing
Advertising
Public Relations
Consulting
Engineering
Architecture
Interior Design
Landscape Architecture
Graphic Design
Web Design
Software Development
IT Services
Telecommunications
Transportation
Logistics
Warehousing
Manufacturing
Retail
Food Service
Hospitality
Real Estate
Education
Healthcare
Agriculture
Energy
Finance
Insurance
Legal
Government
Non-Profit
Media
Entertainment
Sports
Travel
Tourism
Retail
Wholesale
Manufacturing
Distribution
Importing
Exporting
Marketing
Advertising
Public Relations
Consulting
Engineering
Architecture
Interior Design
Landscape Architecture
Graphic Design
Web Design
Software Development
IT Services
Telecommunications
Transportation
Logistics
Warehousing
Manufacturing
Retail
Food Service
Hospitality
Real Estate
Education
Healthcare
Agriculture
Energy
Finance
Insurance
Legal
Government
Non-Profit
Media
Entertainment
Sports
Travel
Tourism

Page Address:

<http://www.tahoevacationguide.com/Groups/amenitiesandrates.html>

☐ Optimized

This page is scheduled to be submitted to the following search engines:

☐ Alta Vista ☐ Excite ☐ Hotbot ☐ Lycos ☐ Infoseek ☐ Webcrawlers

Complete engine/optimized changes

Page Detail:

Date found: 1999-03-24 00:00:00

Last crawled: 1999-04-24 00:00:00

Title: Echo Creek Mountain Ranch Rental Property Ideal For Corporate And Group Retreats Family Reunions Weddings At Lake Tahoe

Meta Description: Private 16-acre estate located in South Lake Tahoe. Beautiful 4,000 sq. ft. log home, 5+ bedrooms, 3 bathrooms and sleeps up to 24 people. Surrounded by a national forest with a creek flowing through the property. Complete description, photos and rates. C

Meta Keywords: group retreats, corporate retreats, family reunions, weddings, lodging, accommodations, vacation rentals, vacation homes, vacation condos, cabins, cottages, Lake Tahoe Vacation Guide, Where To Stay, Where To Play, Tahoe Keys Resort, Lake Tahoe Reservation Bureau, BeachWo

Doorway Page: No

View: Referring Page details

URLs found from this page:

Submit history:

1999-04-08 00:00:00 Infoseek
1999-04-02 00:00:00 Webcrawler
1999-04-02 00:00:00 Lycos
1999-04-02 00:00:00 Hotbot
1999-04-04 00:00:00 Altavista
1999-04-02 00:00:00 Infoseek
1999-04-15 00:00:00 Altavista
1999-04-02 00:00:00 Excite

EXHIBIT H

POSITION

PRO

Search Engine and Site Management

Home

Site

Reports

Changes acknowledged

Page Address:

<http://www.tahoevacationguide.com/Groups/amenitiesandrates.html>

☐ Optimized

This page is scheduled to be submitted to the following market engines:

☒ Alta Vista ☐ Excite ☐ Hotbot ☒ Lycos ☒ Infoseek ☐ Webcrawlers

☒ Complete engine/Optimized changes

Page Detail

Date found: 1999-03-24 00:00:00

Last crawled: 1999-04-24 00:00:00

Title: Echo Creek Mountain Ranch Rental Property Ideal For Corporate And Group

Retreats Family Reunions Weddings At Lake Tahoe

Meta Description: Private 16-acre estate located in South Lake Tahoe. Beautiful

4,000 sq. ft. log home, 5+ bedrooms, 3 bathrooms and sleeps up to 24 people.

Surrounded by a national forest with a creek flowing through the property. Complete

description, photos and rates. C

Meta Keywords: group retreats, corporate retreats, family

reunions, weddings, lodging, accommodations, vacation rentals, vacation

homes, vacation condos, cabins, cottages, Lake Tahoe Vacation Guide, Where To

Stay, Where To Play, Tahoe Keys Resort, Lake Tahoe Reservation Bureau, BeachWo

Doorway Page: No

View: Referring Page details

URLs found from this page:

Submit history:

1999-04-08 00:00:00 Infoseek

1999-04-02 00:00:00 Webcrawler

1999-04-02 00:00:00 Lycos

1999-04-02 00:00:00 Hotbot

1999-04-04 00:00:00 Altavista

1999-04-02 00:00:00 Infoseek

1999-04-15 00:00:00 Altavista

1999-04-02 00:00:00 Excite

EXHIBIT I

POSITION

PRO

Search Engine and Site Management

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Hotbot

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Infoseek

Webcrawlers

Other

Site Settings

Site Statistics

Site Map

Site History

Page Address:

<http://www.tahoevacationguide.com/Groups/echocreekranch.html>

☐ Optimized

This page is scheduled to be submitted to the following engines:

☒ Alta Vista ☒ Excite ☐ Hotbot ☐ Lycos ☐ Infoseek ☒ Webcrawlers

Complete engine/optimized changes

Page Detail

Date found: 1999-03-24 00:00:00

Last crawled: 1999-04-24 00:00:00

Title: Echo Creek Mountain Ranch Rental Property Ideal For Corporate And Group Retreats Family Reunions Weddings At Lake Tahoe

Meta Description: Private 16-acre estate located in South Lake Tahoe. Beautiful 4,000 sq. ft. log home, 5+ bedrooms, 3 bathrooms and sleeps up to 24 people. Surrounded by a national forest with a creek flowing through the property. Complete description, photos and rates. C

Meta Keywords: group retreats, corporate retreats, family reunions, weddings, lodging, accommodations, vacation rentals, vacation homes, vacation condos, cabins, cottages, Lake Tahoe Vacation Guide, Where To Stay, Where To Play, Tahoe Keys Resort, Lake Tahoe Reservation Bureau, BeachWo

Doorway Page: No

View: Referring Page details

URLs found from this page:

<http://www.tahoevacationguide.com/Groups/photogallery.html>

<http://www.tahoevacationguide.com/Groups/phototour.html>

<http://www.tahoevacationguide.com/Groups/amenitiesandrates.html>

<http://www.tahoevacationguide.com/Groups/askquestions.html>

<http://www.tahoevacationguide.com/Groups/reserveranch.html>

Submit history:

1999-04-18 00:00:00 Infoseek

1999-04-06 00:00:00 Infoseek

1999-04-06 00:00:00 Lycos

1999-04-30 00:00:00 Lycos

1999-04-30 00:00:00 Hotbot

1999-04-04 00:00:00 Hotbot

EXHIBIT J

POSITION

PRO

Search Engine and Site Management

Home

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Database

Database

Database

Database

Database

Database

Database

Database

Page Address: <http://www.tahoevacationguide.com/slideshow.html>

☐ Optimized

This page is scheduled to be submitted to the following marked engines:

☒ Alta Vista ☒ Excite ☐ Hotbot ☐ Lycos ☐ Infoseek ☒ Webcrawlers

~~Complete engine/Optimized changes~~

Page Detail

Date found: 1999-03-24 00:00:00

Last crawled: 1999-04-24 00:00:00

Title: Lake Tahoe Vacation Guide Slide Show

Meta Description: Lake Tahoe Vacation Guide slide show. View over 35 breath-taking photos of Lake Tahoe during the winter and summer, including awesome pictures of skiing, watersports, and major points of interest. A complete Lake Tahoe Vacation Guide-Where To Stay & Whe

Meta Keywords: Lake Tahoe, lodging, accommodations, vacation rentals, vacation homes, vacation condos, cabins, cottages, Lake Tahoe Vacation Guide, Where To Stay, Where To Play, Tahoe Keys Resort, Lake Tahoe Reservation Bureau, BeachWorks, <http://www.tahoevacationguide.com>, <http://www>

Doorway Page: No

View: Referring Page details

URLs found from this page:

<http://www.tahoevacationguide.com/weatherheader.html>

<http://www.tahoevacationguide.com/weathernavbar.html>

<http://www.tahoevacationguide.com/Slides/slide1.html>

Submit history:

1999-04-23 00:00:00 Infoseek

1999-04-21 00:00:00 Lycos

1999-04-21 00:00:00 Hotbot